



United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

June 10, 2022

**BY ECF**

The Honorable John G. Koeltl  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

APPLICATION GRANTED  
SO ORDERED

  
John G. Koeltl, U.S.D.J.

6/10/22

**Re: *United States v. Michael Messina*, S1 22 Cr. 212 (JGK)**

Dear Judge Koeltl:

The Government writes with the consent of Michael Marinaccio, Esq., counsel to defendant Michael Messina, and of Pretrial Services to request modification of Messina's bail conditions.

Messina was arrested on April 15, 2022. However, Messina was residing at an intensive nursing facility, and his medical condition did not permit him to leave the facility. As a result, Messina was presented and arraigned before the Honorable Ona T. Wang by telephone. The parties proposed the following bail conditions, which Judge Wang imposed:

1. \$500,000 personal recognizance bond, to be co-signed by two financially responsible persons;
2. Jenny Messina to serve as a third-party custodian, pursuant to 18 U.S.C. § 3142(c)(B)(i);
3. The defendant shall surrender all passports and make no new applications;
4. Home incarceration with the defendant to reside at the nursing facility; when he is able to be discharged, the defendant must confer with the Government about his living arrangements and the Government reserves the right to seek detention at that time if it determines that there is a basis to do so;
5. The defendant may not leave the nursing facility except with prior approval by Pretrial Services and the Government, unless required to do so as the result of a medical emergency;
6. The defendant shall have no contact, direct or indirect, with members or associates of La Cosa Nostra, including but not limited to members and associates of the Genovese Family; and

7. The defendant shall have no contact (in person, by phone, or over the internet) with anyone except: (i) attorney; (ii) court personnel; (iii) medical personnel; (iv) persons on a list preapproved by the Government.

Presumably because the Indictment was under seal at that time, the bond was sealed as well. The parties jointly request that the bond be unsealed.

In addition, Mr. Marinaccio has informed the Government that Messina is now well-enough to be discharged from the nursing facility and that Messina is expected to be discharged on Monday, June 13, 2022. Accordingly, the parties ask that Messina's bond be modified. The complete proposed terms of the bond—including those already contained in the existing bond—are as follows:

1. \$500,000 personal recognizance bond, to be co-signed by two financially responsible persons;
2. Jenny Messina to serve as a third-party custodian, pursuant to 18 U.S.C. § 3142(c)(B)(i);
3. The defendant shall surrender all passports and make no new applications;
4. The defendant shall have no contact, direct or indirect, with members or associates of La Cosa Nostra, including but not limited to members and associates of the Genovese Family;
5. The defendant shall have no contact (in person, by phone, or over the internet) with anyone except: (i) attorney; (ii) court personnel; (iii) medical personnel; (iv) persons on a list preapproved by the Government;
6. Home incarceration with the defendant to reside at 1B Austin Drive, New Fairfield, CT, enforced by location monitoring as determined by pretrial;
7. Strict pretrial supervision;
8. The defendant shall not possess a weapon, firearm, or other destructive device;
9. The defendant may not have family members make any prohibited contact on his behalf; and

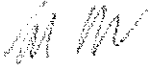
10. The defendant shall avoid all contact, direct or indirect, with any person who is or may be a victim or witness in this investigation or prosecution.

The parties respectfully request that the Court so-order this letter so that the Clerk's office can unseal and modify the bond.

Respectfully Submitted,

DAMIAN WILLIAMS  
United States Attorney

By:

  
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Celia V. Cohen  
Assistant United States Attorney  
(212) 637-2466

cc: Michael Marinaccio, Esq.